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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

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|----------------------------------|---|----------------------|
| DOUGLAS EWALD, |) | |
| |) | |
| Plaintiff, |) | Civil No. 03-1274-JE |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| COMMISSIONER OF SOCIAL SECURITY, |) | |
| |) | |
| Defendant. |) | |

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Plaintiff Pro Se

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JONES, Judge:

Magistrate Judge John Jelderks filed Findings and Recommendation (#44) on November 24, 2008, in the above-entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Jelderks' Findings and Recommendation (#44) dated November 24, 2008, in its entirety. Defendant's motion (#41) for summary judgment is granted and this case is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 9th day of January, 2009.



ROBERT E. JONES
United States District Judge